



BY ECF

January 27, 2021

Honorable Denise L. Cote
United States District Court Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: United States vs. Benzion Zirkind
Case No. 19-CR-463 (DLC)

Dear Judge Cote:

Please note that this firm has been substituted in as counsel for Mr. Zirkind the defendant in the above captioned matter. Mr. Zirkind and his previous counsel were having fundamental differences between them in the handling of Mr. Zirkind's case and the way the sentencing should be handled. I respectfully ask that this Court relieve Mr. Myers and substitute in myself, Saul Bienenfeld, as counsel for Mr. Zirkind. Attached hereto is the signed and notarized Consent to Change Attorneys.

Mr. Zirkind this week sought my advice and guidance and asked that I step in to handle the sentencing and I agreed. I understand that last minute substitutions are usually frowned upon in this district, however please note that Mr. Zirkind wishes to proceed with sentencing but is requesting that I review all the materials in this case prior to making an argument before Your Honor.

I am requesting with the utmost of respect that you grant me an extra two weeks to fully familiarize myself with this case and that I be permitted to supplement the defenses sentencing memo. On a personal level this request is due to my own situation. Both my elderly parents were hospitalized with COVID last week and my dad only recently was discharged. Under normal circumstances I would work round the clock to be ready for the February 5th sentencing date, but unfortunately I do have to devote a large part of my day to my parents. Should this request for additional time be granted my client and I will consent to a virtual sentencing rather than the need to appear live at the courthouse.

I am therefore seeking a short adjournment to February 26 for the sentencing so that I could be better prepared to argue on my clients behalf.

Respectfully Submitted;

/s
Saul Bienenfeld

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Docket # S9:19CR00463-006 (DLC)

**CONSENT TO CHANGE
ATTORNEYS**

-against-

BENZION ZIRKIND

IT IS HEREBY CONSENTED TO that Saul Bienenfeld of Bienenfeld Law 680 Central Avenue Suite 108 Cedarhurst New York 11516, be substituted as attorney of record in the above entitled action in the place and stead of Mathew D. Myers of Myers & Galiardo LLP as of the date hereof.

Dated: January 26, 2021
Myers & Galiardo LLP
(Outgoing attorneys)

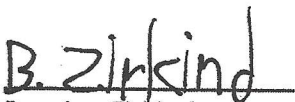
Bienenfeld Law
(Incoming Attorneys)



By: Mathew D. Myers



By: Saul Bienenfeld



Benzion Zirkind

State of New York:

County of Kings

On 27 day of January 2021 before me the undersigned Benzion Zirkind personally appeared personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity set forth above.


Notary Public